



TO: Solid and Hazardous Waste Commissioners

FROM: The Hazardous Materials and Waste Management Division
Doug Knappe, Hazardous Waste Program Manager
Joe Schieffelin, Solid Waste Program Manager

DATE: May 2, 2016

SUBJECT: Solid and Hazardous Waste Program Newsletter

Commission Schedule Update

Included below is the current Solid and Hazardous Waste Commission (Commission) meeting schedule and work plan. The schedule includes both informational briefings and rulemakings as we know them now.

Solid and Hazardous Waste Commission Rulemaking Agenda Docket and Schedule

	2016	2017
February	<ul style="list-style-type: none">•	<ul style="list-style-type: none">•
May	<p>ANNUAL MEETING</p> <ul style="list-style-type: none">• Rulemaking, Commission Fees (HW)• Rulemaking, Medication Take-back Program• Informational Briefing, Water Treatment Sludge Rule Repeal – amendment to Sections 8 and 12 (SW)• Informational Briefing, Coal Combustion Residuals, Part 19 (SW)•	<ul style="list-style-type: none">•
August	<ul style="list-style-type: none">• Rulemaking, Coal Combustion Residuals, Part 19 (SW)• Informational Briefing, Composting (SW)• Informational Briefing, Waste Tires (SW)	

November	<ul style="list-style-type: none"> • Rulemaking, Composting, Part 14 (SW) • Rulemaking, Waste Tires, Part 10 (SW) • 	
-----------------	--	--

Proposed May, 2016 Commission Meeting Agenda

Rulemaking #1, Rules and Regulations Pertaining to the Household Medication Take-Back Program: This rulemaking proposes regulations to administer the Colorado Medication Take-Back Program (Program). The regulation's purpose is to establish qualifications, operational and recordkeeping procedures, and security requirements for collectors, transporters, and disposal location participating in the Colorado Household Medication Take-Back Program. The proposed regulation does not affect the collection, transport, or disposal of household medications outside the Program.

Rulemaking #2, Modifications to Section 6.04, Commission Annual Fees: This rulemaking proposes to modify Section 6.04 of the Colorado Hazardous Waste Regulations (6 CCR 1007-3) to reflect the current Commission fee to be assessed for fiscal year 2016-2017. The proposal does not change the fee amounts from the previous year, but only changes the rules to reflect the 2016-2017 fiscal year.

Information Briefing, Water Treatment Sludge Rule repeal - This briefing will discuss the relative merits of repealing the existing rule governing the disposal of water treatment sludge (which is not within 6 CCR 1007-2, the Solid Waste Regulations, but in rules originally promulgated by the Board of Health) and replacing those requirements into Section 8 and 12 of the Solid Waste Regulations.

Information Briefing, Coal Combustion Residuals Rule, 6 CCR 1007-2, Section 19: Staff from the Solid Waste and Materials Management Program will provide an information briefing concerning proposed changes to Colorado's Regulations Pertaining to Solid Waste Disposal Sites And Facilities (6 CCR 1007-2, Part 1) by adding a Section 19 to address the management of coal combustion residuals from electrical utilities. The proposed section would address the changes made to 40 CFR Part 257 by the Environmental Protection Agency enacted April 17, 2015 as the "Disposal of Coal Combustion Residuals from Electric Utilities final rule."

2016 Legislative Developments

The legislative session began January 13, 2016. There are no legislative developments requiring Commission action at this time.

Project Updates

This newsletter focuses on accomplishments and recent changes to the Solid Waste Material Management Unit managed by David Snapp.

The Solid Waste Materials Management Unit is responsible for implementing the recycling, beneficial use, waste tires, waste grease, and paint stewardship sections of the Solid Waste Regulations. Our current staff includes:

- Shana Baker (waste tire work lead)
- Mike Bankoff (beneficial use and industrial recycling)
- Brian Gaboriau (Tire End User Fund, illegal site cleanup and market development fund)
- Lisa Jeffrey (waste tire and waste grease fees and registrations)
- Wolf Kray (recycling, e-waste and paint stewardship)
- Anna Maylett (waste tires and waste grease)
- Cindy Smith (waste tires)

Waste Tires

Our waste tire group is hosting the third annual Waste Tire Market Development Conference June 22-23 at the Double Tree Hotel in Greenwood Village. The conference serves as a networking and educational venue for regulators and waste tire businesses. An all-day regulators forum takes place before the conference. This forum gives government regulators the opportunity to meet with attendees and discuss new developments in waste tire management and changes in regulations. We typically have more than ten other state organizations represented at the conference.

The conference also hosts talks on waste tire products and presentations on the challenges related to hauling, processing and recycling waste tires. The conference helps educate business about government regulations and it helps regulators understand the difficulties associated with running a waste tire business to inform our regulation drafting process.

You can find out more information about the *2016 Waste Tire Market Development Conference: The Value of Tire Recycling* at:

<https://www.colorado.gov/pacific/cdphe/2016-waste-tire-conference>

Coloradoans have paid a fee every time we purchase a new tire. In 2014, that fee was set by the legislature to be \$1.50 on the sale of each new passenger tire. In addition to paying staff to implement the waste tire regulations, the fee pays for:

- End user reimbursements on the sale of waste tire products,
- Illegal waste tire pile clean ups, and
- Market development for waste tire-derived uses and products.

The fee also pays for local county contract inspectors that perform waste tire retail inspections on behalf of the Department.

Data Measurement: Recycling, Composting and Waste Tire Data

The Materials Management Unit collects recycling and disposal data from recycling, composting and waste tire facilities (and haulers). We review the data and create the Annual Waste Tire Report and the annual waste diversion rate for the State of Colorado. The Annual Waste Tire Report, as well as the Annual Solid Waste Report that we contribute to through our other facility reports, are mandated by statute. Solid waste reports and data are available at:

<https://www.colorado.gov/pacific/cdphe/swreports>

Compliance

The Materials Management Unit performs inspections at recycling, composting, beneficial use facilities, waste grease facilities and waste tire facilities. The Unit strives to ensure that facilities are registered and reporting as required and that they are operating in accordance with their operating plans. Our annual goal is to inspect over 100 facilities per year. The waste tire group issues contracts to local governments to inspect waste tire retailers, and we had more than 500 additional inspections in calendar year 2015 through the local government inspection program.

Beneficial Use Determinations

Our beneficial use program continues to grow in the number of requests we receive to use solid waste in non-traditional ways. We received over 25 applications so far in fiscal year 2016 as compared to 10 applications in FY 2009. The waste streams people seek beneficial use approval for vary greatly from drinking water treatment residuals to paunch manure. We expect our waste diversion percentages to increase with the number of beneficial use applications we approve. Calendar year 2014 was the first year we included beneficial land application as a line item in our diversion rates and land application accounted for 7% of the industrial materials recycled. Seven percent is a significant amount when we consider that recycling cement, asphalt and aggregate is included in the calculation.

Organizational/Staffing Highlights

Justin Laboe joined the Solid Waste Permitting Unit as the Solid Waste Program's data manager. He is excited to help manage information systems to improve the delivery and transparency of our Solid Waste programs. He is a graduate of the University of Colorado and has worked in environmental programs for years in the public and private sector. Welcome Justin!

Kevin Mackey of the Hazardous Waste Permitting Unit is now that unit's new leader, taking the vacancy left with Doug Knapp's promotion to Hazardous Waste Program manager. Congratulations, Kevin!